
BOARD OF SELECTMEN – OCTOBER 7, 2013

I. Call to Order

Chairman Alex Vispoli called the Regular Meeting of the Board of Selectmen to order at 7:01 P.M. in the Selectmen's Conference Room in the Town Offices. Roll Call: Chairman Vispoli-Y and Selectmen Paul Salafia-Y, Brian Major-Y, Mary Lyman-Y and Dan Kowalski-Y. Also present: Town Manager Reginald S. Stapczynski, and Town Clerk Larry Murphy. The meeting was duly posted and cablecast live.

II. Opening Ceremonies

Chairman Vispoli led the members in a Moment of Silence followed by the Pledge of Allegiance.

III. Communications/Announcements/Liaison Reports

The Town Manager made the following announcements:

- ~ The Chamber of Commerce awarded Director of Veterans Services Mike Burke the Ralph B. Wilkerson Award for his dedication to veterans.
- ~ The DPW's Eco-friendly Calendar Award Program for Andover students in Grades K-12 is in process. Information on the contest can be found on the DPW's website.
- ~ The Eco-friendly Recycling Day was a great success.
- ~ The Andover Bike Forum, in conjunction with Mass Bike, will be held on Tuesday, October 22nd at 7:00 P.M. at the Public Safety Center.
- ~ There are two vacancies on the Economic Development Commission and interested persons should submit a Talent Bank Form which is available on the Town's website.
- ~ The low bidder for the Youth Center withdrew their bid and the Board may need to schedule a Special Meeting next week to talk about available options.

Town Clerk Larry Murphy reported that the Andover/North Andover League of Women Voter's Annual Running for Office Seminar will be held on October 30th in North Andover.

Selectman Salafia attended the Eco-friendly Recycling event and said over 704 cars dropped off recycling materials which included 8,000 lbs. of television sets.

Selectman Lyman reported the Commission on Disabilities has some concerns about outside dining and she will discuss the concerns with the Town Manager.

Selectman Major said the Ballardvale Fire Station Task Force will be sending a report to the Board by mid-November.

Selectman Kowalski attended a recent Retirement Board Meeting. The Board reported that, in response to the Town Manager's statement that the Town's liability could be reduced by changing the requirement for the number of hours and years served to be

eligible for retirement benefits, they are in a fact-finding mode and will have a reply after the first of the year.

Chairman Vispoli announced that the Massachusetts Innovation Challenge Grant Program with awards of up to \$5,000 in grant monies is now available and he challenges Town departments to submit ideas for this challenge.

IV. Citizens Petitions & Presentations

Mary Carbone, 3 Cyr Circle, reported watching a program on C-Span about Social Security fraud and three women who uncovered information who were treated poorly. She said she has experienced the same treatment. It will be interesting to see how the Youth Center discussions proceed.

V. Public Hearings

A. National Grid & Verizon New England, Inc.

Chairman Vispoli read the request by National Grid and Verizon New England, Inc. for permission to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way:

~ Filter Bed Road – Install 2 new joint-owned poles to provide new service to #24 Filter Bed Road. Location begins at a point approximately 15 feet NW of the centerline of the intersection of Liberty Street and continuing approximately 8 feet in a northerly direction as shown on plan #15381677, dated 9/4/13. The request was reviewed and approved by the Department of Public Works subject to the condition that street opening permits must be obtained from the Department of Public Works prior to the commencement of the work.

Selectman Kowalski motioned to approve the request as stated with an amendment to include a commitment for removal of double-poles by May 1, 2014. The motion was seconded by Selectman Major and voted 5-0 to approve.

B. National Grid

Chairman Vispoli read the request from National Grid for permission to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the following public way:

~ Algonquin Avenue – Install approximately 2,535' of 2-4" conduits and 6 handholes on Algonquin Avenue and install approximately 1,215' of 2-3" conduits on Comanche Place, Seminole Circle and Sioux Circle as shown on Plan #14689641 dated 5/23/13.

The request has been reviewed and approved by the Department of Public Works subject to the condition that street opening permits must be obtained from the Department of Public Works prior to the commencement of the work at both locations.

Carl Guild of 14 Algonquin Avenue said residents on his street have been through several of these installations with dissatisfaction. He asked if there was an analysis done that justifies this work, are they replacing only the primary lines, what percentage were previously replaced and were they secondary or primary lines? Did the DPW get a quantitative analysis that prompted them to change only the primary and not the secondary lines and will this fix the problem? He said there are more secondary than primary lines on the road and would like to have that as a statement of record. He also asked about the trench location and what the commitment will be for replacement of grass/trees/bushes – will it be in kind or better?

Janet Schwartz of 22 Algonquin Avenue said the plans they received were difficult to read. It was decided the Public Hearing be continued until further information is received.

Selectman Major motioned to continue the Public Hearing to Monday, November 4th. The motion was seconded by Selectman Kowalski and voted 5-0 to continue the hearing.

VI. Regular Business of the Board

A. Lock Box Program Presentation

Fire Chief Michael B. Mansfield spoke about the Department's implementation of the Residential Lock Box Program for seniors and disabled residents which would allow for rapid entry to homes by emergency personnel in an emergency situation. The lock box is free of charge and installed by trained personnel on the door jamb of the home. A key is secured inside the box and can only be accessed by a master key created specifically by Andover Fire Rescue personnel; master keys are kept in a secure location. There is no charge for the lock box. Interested residents can contact Andover Fire Rescue at 978-475-1281 to make an appointment and complete a registration form.

B. Water System Report

Acting DPW Director Christopher Cronin gave a presentation on the Town's water system and an overview of the water supply, treatment, and distribution of water. He distributed a handout of the presentation and was assisted by staff members Karen Martin, Morris Gray, James McSurdy and Brian Moore. The presentation showed where the water comes from, the process for treating the water and how it is distributed across the Town. The demand for water fluctuates over the Summer when 12 million gallons of water can be demanded vs. 6 million gallons in the Fall and Winter months. They have inspected 2,246 hydrants through the Hydrant Maintenance Program and 152 hydrants need to be replaced. The average homeowner uses approximately 83,000 gallons per year and lawn and irrigation systems (May-September) use approximately 99,750 gallons. They are increasingly challenged to provide the amount of water called for particularly the increase in velocity during the Summer months.

The Leak Protection Program for residents was initiated in 2012 to report water discoloration and fixes to small scale problems. The Comprehensive Water Main

Replacement Project covers replacement of aging pipes.

A question and answer period followed the presentation.

Mary Carbone, 3 Cyr Circle, asked if the old pipes in town are lead pipes to which Mr. Cronin informed her they are unlined cast iron pipes, not lead. James Berberian, 4 Bancroft Road, asked if over time magnesium can come from pipes and if arsenic binds to it. He asked if he could have an answer by the next meeting. Mr. Cronin will follow up with advice of Town Counsel.

C. North Reading Intermunicipal Water Agreement

The Town Manager reported on discussions with North Reading regarding the Intermunicipal Water Agreement and suggested rate charge. Discussions are ongoing with additional meetings to be scheduled. There is also a CIP request to conduct a Rate Study. The contract with North Reading ended in July 2012 and they will consider a one year rate until the supply study is completed.

D. Delegation of Licensing/Permitting Authority to Town Manager – Second Reading

Town Clerk Larry Murphy reported on the document provided to the Board for Delegation of Licensing and Permitting Authority to the Town Manager. The ABCC recommends a policy be in place for Section A5, and Section C2 lists the items the Town Manager can delegate. The policy change recommends routine items only be handled by the Town Clerk and which items have to come before the Board and approved by the Town Manger (Section 11.1). The Board discussed the delegation authority and agreed that issues and violations of liquor licenses as well as a change in managers should come before the Board.

Selectman Lyman motioned the Board approve the changes in the Policy suggested by the Town Clerk with the exception of the Change in Managers which should come before the Board. The motion was seconded by Selectman Major and voted 5-0 to approve.

E. Zoning Board of Appeals Associate Members and Retirement Board Vacancies

The Board continued their discussion on the appointment process for filling the current Zoning Board of Appeals Associate Member vacancies and the Retirement Board vacancy. Selectman Salafia reported the sub-committee has a meeting coming up for Zoning Board members. Vacancies for the Retirement Board have been advertised and the Board talked about the requirements for the openings. The Town Manager said knowledge of pensions and legal issues regarding employees is helpful.

F. Banners Across Main Street

The Town Manager updated the Board on the Regulations for Banners across Main Street and his meeting with Mark Spencer and staff to discuss putting up the banners. Mark Spencer wants to amend the Banner By-law due to concerns with the size of the banner and the U-cuts. They are also looking at the cost factor for putting the banner up and down and have several ideas to reduce the cost. It was recommended there be a moratorium on banners until an agreement is reached relative to the cost of hanging up and removing banners.

G. Shawsheen River Gauge – HOLD

H. Town Accountant Subcommittee

Selectmen Kowalski reported the job posting is listed in the MMA Beacon and closes on October 11th. Selectman Kowalski motioned to extend the posting for an additional seven days to October 18th. The motion was seconded by Selectman Major and voted 5-0 to approve.

Selectman Kowalski explained that the Retirement Board sets the stipend for the Town Accountant and Mass General Law allows a personal services contract. He recommended the Board look at a total compensation package and that the Town Accountant receive the same benefits as other Department Heads. The sub-committee will develop a personal services contract for the Town Accountant position to present to the Board. Mr. Kowalski will also develop a proposal for the Director of Municipal Services contract.

The Board discussed the selection process, timeline and role of the Search Committee. The Search Committee will present three semi-finalists to the Town Manager for his consideration and the Board will interview them in an Executive Session.

I. Trick or Treat

On a motion by Selectman Lyman and seconded by Selectman Kowalski, the Board voted 2-3 to set the time for Andover's Trick or Treat hours for Thursday, October 31, 2013 from 5:30 P.M. to 7:30 P.M. The motion failed.

On a motion by Selectman Major and seconded by Selectman Salafia, the Board voted 3-2 to set the time for Andover's Trick or Treat hours on Thursday, October 31, 2013 from 5:00 P.M. to 7:00 P.M. for this year. The motion carried. Next year the Board will consider changing the time to 6:00 P.M. to 8:00 P.M.

VII. Consent Agenda

A. Scarecrow Festival

On a motion by Selectman Salafia and seconded by Selectman Lyman, the Board voted

5-0 to approve the request of Tina Girdwood, on behalf of ACE, Andover Coalition for Education, for permission to conduct a Scarecrow Festival to celebrate the Andover Public Schools from Sunday, October 20, 2013 through Sunday, October 27, 2013 by tying scarecrows to the light poles on Main Street from the Historical Society to the Public Safety Center. They are also requesting permission to use the area in front of the Town House on Sunday, October 27, 2013 at Noon for a rally of support and thanks to culminate the event. The request has been reviewed and approved with conditions by Fire Rescue and the Police Department.

B. Block Party

On a motion by Selectman Kowalski and seconded by Selectman Major the Board unanimously voted to approve the request of David Gilbert, 8 Yale Road, for permission to block off his street between #1 and #8 on Sunday, October 20, 2013 from Noon to 8:00 P.M. (raindate – Sunday, October 27, 2013) for a neighborhood block party. The request has reviewed and approved with conditions by the Police Department.

C. 5K Fun Run

On a motion by Selectman Lyman and seconded by Selectman Salafia the Board unanimously voted to approve the request of Nancy Chabot, on behalf of the Andover School of Montessori, 400 South Main Street, for permission to conduct a 5K Fun Run through the streets of Andover on Sunday, October 27, 2013 at 9:00 A.M. beginning and ending at the school using the same route as the May 2013 race. The request has been reviewed and approved with conditions by the Police Department.

D. 5K Road Race

On a motion by Selectman Lyman and seconded by Selectman Major the Board voted 5-0 to approve the request of Bill Pennington, 132 Main Street, for permission to conduct the 4th Annual “Run for the Troops” 5K run/walk through the streets of Andover on Sunday, April 26, 2014 beginning at 9:00 A.M. at the Doherty Middle School using the same route as in previous years. The request has been reviewed and approved with conditions by the Police Department.

E. Charitable Wine Auction License

On a motion by Selectman Major and seconded by Selectman Kowalski the Board voted 5-0 to approve the request of Deborah Blicharz, on behalf of Esperanza Academy, 198 Garden Street, Lawrence, for a Charitable Wine Auction License for an event on Friday, October 25, 2013 from 6:30 P.M. to 10:30 P.M. at the Andover Country Club. The request has been reviewed and approved by the Town Clerk subject to the condition that all other requirements of the Town are met prior to the issuance of the license.

F. Appointments and Re-Appointments

Selectman Lyman motioned hat the following appointments by the Town Manager be approved:

DEPARTMENT	POSITION	RATE	EFF. DATE
<u>POLICE DEPARTMENT</u>			
Steven Gerroir	Sergeant (v. P. Robb)	Q-523-4-2/\$96,873	10/8/13
Gregory M. Scott	Sergeant (v. B. Pattullo)	Q514-1-1/\$81,101	10/8/13
Francis Fitzpatrick	Sergeant (v. E. Guy)	Q-515-1-1/\$84,480	10/8/13
<u>COMMUNITY SERVICES</u>			
Ruth C. Urquhart	Office Assistant – PT	C3A/\$8.75/hr.	9/19/13

The motion was seconded by Selectman Kowalski and voted 5-0 to approve.

VIII. Approval of Minutes from Previous Meetings

On a motion by Selectman Lyman and seconded by Selectman Major, the Board voted unanimously to approve the minutes of the September 9, 2013 Regular Meeting and the September 17, 2013 Special Meeting as presented.

IX. Adjournment

At 10:06 P.M. on a motion by Selectman Kowalski and seconded by Selectman Major, the Board unanimously voted to adjourn.

Respectfully submitted,

Dee DeLorenzo
Recording Secretary

Documents: Lock Box Application
Hearing Notice from Town Clerk's Office regarding National Grid
Memo from Town Clerk regarding Delegation of Authority to Town Manager
Letter from Chief O'Keefe regarding times for Trick or Treat
Letter from Town Counsel regarding the Intermunicipal Agreement with North
Reading for Water